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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY-DOCKET NO.	CONFIRMATION NO.
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10/603,025

06/24/2003

Sastry S. Duri

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09/28/2007

AKERMAN SENTERFITT

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EXAMINER

REZA, MOHAMMAD W

ART UNIT

PAPER NUMBER

2136

MAIL DATE

DELIVERY MODE

09/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/603,025

Applicant(s)

DURI ET AL.

Examiner

Mohammad W. Reza

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the RCE filed on 07/12/2007.
2. Claims 1-24 are pending in the application.
3. Claims 1-24 have been rejected.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/14/2006 has been entered.

Response to Amendment

5. The examiner approves the amendments made to claim 1-3, 6, 9-11, 14, 17-19, and 22.

Response to Arguments

6. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In these claims applicants mention "selectively providing items of the telematics data to the one or more service providers according to the comparing step" which is generally narrative and indefinite with the invention. Examiner failed to find anywhere in the dependent claims or in the specification that what is the comparing step. Applicants do not point out clearly which options include in the present invention by using "according to the comparing step". The office will interpret these limitations with the regarding claims as best understood for applying the appropriate art for rejection purposes.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Bennie L. Farmer hereafter Farmer (US patent application 20030130893).

9. As per claim 1, Farmer discloses a method comprising: receiving the telematics data for from the plurality of vehicles, wherein the received telematics data dynamically changes over time (paragraphs, 0012, lines 4-22, 0016); comparing the telematics data received from each one of said vehicles with. a privacy policy associated with said each one of said the vehicles, wherein the privacy policy specifies rules for selectively releasing items of the received telematics data to a~ least said one or more service providers; and selectively providing items of the telematics data to the one or more service providers according to the comparing step (paragraphs, 0004-0006, 0015).

10. As per claim 2, Farmer discloses the method comprising: receiving updated telematics data from at least one of the plurality of vehicles; comparing the updated telematics data with the privacy policy associated with the at least one of the plurality of vehicles; and selectively providing items of the telematics data to the one or more service providers according to said step of comparing the updated telematics data (paragraphs, 0012, lines 4-22, 0016).

11. As per claim 3, Farmer discloses the method comprising: receiving a request for information from at least one of the service providers prior to said comparing step; and determining a privacy policy associated with said each one of [[the]] said vehicles [[and]] associated with the at least one of the requesting service providers (paragraphs, 0004-0006, 0015).

12. As per claim 4, Farmer discloses the method wherein the telematics data

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includes at least one of vehicle diagnostic information, vehicle location information, temporal information, vehicle trajectory information, vehicle acceleration and deceleration information, and vehicle occupant information (paragraph, 0021).

13. As per claim 5, Farmer discloses the method wherein the privacy policy rules include at least one of temporal rules, location rules, and vehicle diagnostic rules for comparing the telematics data (paragraph 0023).

14. As per claim 6, Farmer discloses a method comprising: receiving the telematics data for from the plurality of vehicles, wherein the telematics data dynamically changes over time (paragraphs, 0012, lines 4-22, 0016); receiving a telematics event for from at least one of the vehicles; comparing the telematics event from said at least one of the vehicles with a privacy policy associated with t-he said at least one of the vehicles, wherein the privacy policy specifies rules for selectively releasing items of the telematics data to said one or more service providers according to the telematics event; and selectively providing items of the telematics data to the one or more service providers according to the comparing step (paragraphs, 0004-0006, 0015).

15. As per claim 7, Farmer discloses the method wherein the telematics data includes at least one of vehicle diagnostic information, vehicle location information, temporal information, vehicle trajectory information, vehicle acceleration and deceleration information, and vehicle occupant information (paragraph, 0021).

16. As per claim 8, Farmer discloses the method wherein the privacy policy rules include at least one of temporal rules, geographic rules, and vehicle diagnostic rules,

said comparing step further comprising comparing the telematics data with the privacy policy (paragraph 0023).

17. As per claim 9, Farmer discloses a system comprising: a data store having storing telematics data received from the plurality of vehicles; a data store storing privacy policy information associated with each one of the plurality_ of vehicles, wherein the privacy policy information specifies rules for selectively releasing items of the received telematics data to one or more application service providers (paragraphs, 0012, lines 4-22, 0016); a request processor configured to receive requests for telematics data from the one or more application service providers and provide telematics data to the one or more application service providers; and a privacy manager configured to compare the stored telematics associated with said each one the plurality of vehicles in response to the privacy policy information specified by the received requests for telematics data with the stored privacy policy information tetematics data stored for said each one of said plurality of [[the]] vehicles, said privacy manager configured to provide only those items of telematics data to [[for]] the one or more application service providers as specified by the privacy policy information (paragraphs, 0004-0006, 0015).

18. As per claim 10, Farmer discloses the system comprising an agent corresponding to each one of said application service providers, wherein each said agent is configured to access telematics data on behalf of the one of the application service providers corresponding to that agent in conformance with the privacy policy

information corresponding to the one of the application service providers (paragraphs, 0012, lines 4-22, 0016).

19. As per claim 11, Farmer discloses a system comprising: means for receiving the telematics data from the plurality of vehicles, wherein the received telematics data dynamically changes over time (paragraphs, 0012, lines 4-22, 0016); means for comparing the telematics data received from each one of said vehicles with a privacy policy associated with said each one of said the vehicles, wherein the privacy policy specifies rules for selectively releasing items of the received telematics data to at-least said one or more service providers; and means for selectively providing items of the telematics data to the one or more service providers according to the comparing step (paragraphs, 0004-0006, 0015).

20. As per claim 12, Farmer discloses the system wherein the telematics data includes at least one of vehicle diagnostic information, vehicle location information, temporal information, vehicle trajectory information, vehicle acceleration and deceleration information, and vehicle occupant information (paragraph, 0021).

21. As per claim 13, Farmer discloses the system wherein the privacy policy rules include at least one of temporal rules, location rules, and vehicle diagnostic rules for comparing the telematics data (paragraphs, 0012, lines 4-22, 0016).

22. As per claim 14, Farmer discloses a system comprising: means for receiving the telematics data from the plurality of vehicles, wherein the telematics data dynamically changes over time (paragraphs, 0012, lines 4-22, 0016); means for receiving a telematics event from at least one of the vehicles; means for comparing the telematics

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event from said at least one of the vehicles with a privacy policy associated with t-he said at least one of the vehicles, wherein the privacy policy specifies rules for selectively releasing items of the telematics data to at least said one or more service providers according to the telematics event; and means for selectively providing items of the telematics data to the one or more service providers according to the comparing step (paragraphs, 0004-0006, 0015).

23. As per claim 15, Farmer discloses the system wherein the telematics data includes at least

one of vehicle diagnostic information, vehicle location information, temporal information, vehicle trajectory information, vehicle acceleration and deceleration information, and vehicle occupant information (paragraph, 0021).

24. As per claim 16, Farmer discloses the system wherein the privacy policy rules include at least one of temporal rules, location rules, and vehicle diagnostic rules, said means for comparing further comprising means for comparing the telematics data with the privacy policy (paragraph 0023).

25. As per claim 17, Farmer discloses a machine readable storage, to perform the steps of: storing telematics data received from a plurality of vehicles, wherein the telematics data dynamically changes over time (paragraphs, 0012, lines 4-22, 0016); comparing the telematics data stored for each one of said vehicles with a privacy policy associated with [[the]] said each one of said vehicles, wherein the privacy policy specifies rules for selectively releasing items of the stored telematics data to one service providers; and selectively providing items of the telematics data to the one or

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more service providers according to the comparing step (paragraphs, 0004-0006, 0015).

26. As per claim 18, Farmer discloses the machine readable storage causing the machine to perform the steps of: receiving updated telematics data from at least one of the plurality of vehicles; comparing the updated telematics data with the privacy policy associated with the at least one of the plurality of vehicles; and selectively providing items of the telematics data to the one or more service providers according to the step of comparing the updated telematics data (paragraphs, 0012, lines 4-22, 0016).

27. As per claim 19, Farmer discloses the machine readable storage causing the machine to perform the steps of: receiving a request for information from at least one of the service providers prior to said comparing step; and determining a privacy policy associated with said each one of [[the]] said vehicles associated with [[and]] the at least one of the requesting service providers (paragraphs, 0004-0006, 0015).

28. As per claim 20, Farmer discloses the machine readable storage wherein the telematics data includes at least one of vehicle diagnostic information, vehicle location information, temporal information, vehicle trajectory information, vehicle acceleration and deceleration information, and vehicle occupant information (paragraph, 0021).

29. As per claim 21, Farmer discloses the machine readable storage wherein the privacy policy rules include at least one of temporal rules, location rules, and vehicle diagnostic rules for comparing the telematics data (paragraph 0023).

30. As per claim 22, Farmer discloses a machine readable storage, to perform the steps of: receiving the telematics data from the plurality of vehicles, wherein the

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telematics data dynamically changes over time (paragraphs, 0012, lines 4-22, 0016); receiving a telematics event from at least one of vehicles; comparing the telematics event from said at least one of the vehicles with a privacy policy associated with said at least one of the vehicles, wherein the privacy policy specifies rules for selectively releasing items of the telematics data to said one or more service providers according to the telematics event; and selectively providing items of the telematics data to the one or more service providers according to the comparing step (paragraphs, 0004-0006, 0015).

31. As per claim 23, Farmer discloses the machine readable storage wherein the telematics data includes at least one of vehicle diagnostic information, vehicle location information, temporal information, vehicle trajectory information, vehicle acceleration and deceleration information, and vehicle occupant information (paragraph, 0021).

32. As per claim 24, Farmer discloses the machine readable storage wherein the privacy policy rules include at least one of temporal rules, location rules, and vehicle diagnostic rules, the machine readable storage further causing the machine to perform the step of comparing the telematics data with the privacy policy (paragraph 0023).

Conclusion

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad w. Reza whose telephone number is 571-272-6590. The examiner can normally be reached on M-F (9:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MOAZZAMI NASSER G can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad Wasim Reza

AU 2136

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